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MEMO ENDORSED

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PLAINTIFF'S FIRST LETTER MOTION FOR AN EXTENSION TO FILE

February 17, 2025

By ECF

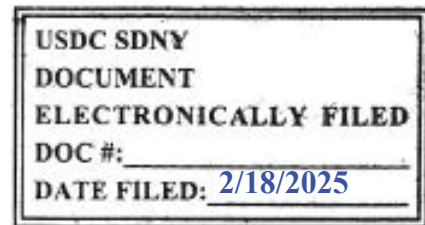
Hon. Judge H. Jennifer Rearden

United States District Court

Southern District Court of New York

500 Pearl Street

New York, NY 10007



RE: *M.K. et al. v New York City Department of Education*
1:24 CV-04900 (JHR)

Dear Judge Rearden:

I write to respectfully request an extension of the deadline for submitting the certified record in the above-referenced matter. This is Plaintiff's first letter motion for an extension to file, made with the full consent of Ms. Doll, Opposing Counsel for the Department of Education.

This request is made under truly extraordinary and unforeseeable circumstances. Between December 24, 2024, and January 2025, I suffered the sudden and tragic loss of two close family members due to violent incidents. These devastating events severely impacted my ability to meet the filing deadline. In the midst of these personal tragedies, I inadvertently misunderstood the responsibility for submitting the certified record, mistakenly assuming that Opposing Counsel was handling it. I deeply regret this oversight and take full responsibility for ensuring that the record is now promptly submitted.

Recognizing the importance of adhering to deadlines, I have taken immediate corrective steps. I have already requested a certified copy of the record and have actively engaged with the Office of State Review to expedite its preparation. While I fully understand that extension requests made after a deadline has passed are typically denied, I respectfully urge the Court to consider an

exception in this matter. The highly unusual and distressing nature of these circumstances supports leniency, and denying this request would create an undue hardship that is not reflective of any willful neglect or delay.

Furthermore, with the consent of Opposing Counsel, we also respectfully request the Court's authorization to waive the requirement for submission of the 56.1 statements, which would further streamline the process and allow this matter to proceed without unnecessary delay.

I remain fully committed to fulfilling my obligations in this case and ensuring that the record is submitted as soon as possible. I deeply appreciate the Court's understanding and any courtesies it may extend in light of these exceptional circumstances.

Thank you for your time and consideration.

Very truly yours,

/s/

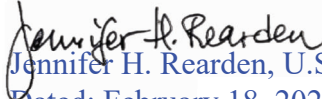
Kimberly C. Tavares
Counsel for Plaintiffs

**Cc: All Counsel of record
(via ECF)**

The Court extends its deepest sympathies to counsel. Plaintiffs' deadline to submit the certified record is extended *nunc pro tunc* to **March 3, 2025**. Plaintiffs' request for authorization to waive the requirements of Local Rule 56.1 is denied. Given the circumstances described herein, however, the Court is amenable to extending Plaintiffs' deadline to seek summary judgment, if additional time is needed.

The Clerk of Court is directed to terminate ECF No. 20.

SO ORDERED.


Jennifer H. Rearden, U.S.D.J.
Dated: February 18, 2025